

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF JULY 22, 2005

(Published July 30, 2005, in *Finance and Commerce*)

Council Chamber  
350 South 5<sup>th</sup> Street  
Minneapolis, Minnesota  
July 22, 2005 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, President Ostrow.

Schiff moved to amend the agenda so as to consider "New Business" Item No. 1 at the beginning of the meeting. Seconded.

Adopted upon a voice vote.

(See *Excerpts from the Minneapolis City Council Official Proceedings of 7/22/05, published 7/26/05*)

Lilligren moved adoption of the agenda, as amended. Seconded.

Adopted by unanimous consent 7/22/05.

Lilligren moved acceptance of the minutes of the regular meeting held 7/1/05. Seconded.

Adopted upon a voice vote 7/22/05.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 7/22/05.

### PETITIONS AND COMMUNICATIONS

#### COMMUNITY DEVELOPMENT (See Rep):

CITY COUNCIL (270520)

Environmental Assistance Funding for The Bridge for Runaway Youth: Support use of Hennepin County Minnesota Environmental Initiative funds for environmental site assessment at 1111 & 1119 22nd St and 2209 Emerson Ave S.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270521)

Land Sales: Approve sale of property at 1012, 1016 and 1018 E 25th St to Prima Land, Inc., 3435 26th Av S to Rozlon Denise Thomas, 3658 N 6th St to Charles LaBrie, 1401 Ramsey St NE to Dwain Bell and pass-through sale of 900 Washington Av S and 901 2nd St S to Sherman Associates.

Turning Point, Inc. (1500 block of Golden Valley Road): Preliminary and final approval to issue up to \$1 million in revenue refunding bonds.

Excorp Medical Incorporated (739 Kasota Av): Execute subsidy agreement to receive State Biotechnology and Health Science Industry Zone employment credits, research and development credits and sales tax rebates.

Parking Agreement for Milwaukee Depot Parcels: Extend existing agreement with Apcoa/Standard for Parcels A and D.

MAYOR AND COUNCIL PRESIDENT (270522)

Appointment to Minneapolis Public Housing Authority Board of Commissioners: Recommend appointment of Westley Wheeler.

**HEALTH AND HUMAN SERVICES (See Rep):**

CIVIL RIGHTS (270523)

Disadvantaged Business Enterprise Program: Authorize implement mirror program of Federal DBE Program; and Execute agreement with Metropolitan Council to implement and monitor City's Program on Nicollet Hotel Block; Authorize Director of Civil Rights to make technical changes to plan.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270524)

Minneapolis Private Industry/Workforce Council: Waive residency requirement for Mayor to appoint Eric Eloff to private sector seat.

**HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (270525)

Health Services: Increase Master Contract with Westside Community Health Services by \$150,000 to cover services through June 30, 2006.

Health Education Services to American Indian Community: Execute agreement with American Red Cross to receive \$2,400 for development of health and safety curriculum; and Approve appropriation.

Psychosocial Screening Instrument for Pregnant Women: Submit grant application to United States Department of Health and Human Services seeking \$1.2 million to support research project to validate an automated, web-based psychosocial screening instrument for pregnant women.

Teen Pregnant and Parenting Program at Henry and Edison High Schools: Execute contract with Special School District #1 to receive \$65,654 for School Based Clinic Social Worker to provide case management to pregnant and parenting students; and Approve appropriation.

INSPECTIONS DEPARTMENT (270526)

Food Inspection Services to Minneapolis Public Schools: Amend contract with Special School District #1 to extend contract for additional year; for additional inspections of the Nutrition Center and school sites; and increase to contract fee.

**INTERGOVERNMENTAL RELATIONS:**

GRANTS AND SPECIAL PROJECTS (270527)

Report on grants technical assistance for community-based organizations.

Second Quarter Report for 2005.

INTERGOVERNMENTAL RELATIONS (270528)

State Capital Funds: Preliminary Local Government Submissions for State Capital Funds.

Public Employment Retirement Association: City Cost Implications of PERA Provisions in HF 44.

Mpls Police Relief Association: City of Mpls-MPRA Pension Plan Funding.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

LIBRARY, MINNEAPOLIS PUBLIC (270529)

MN Planetarium & Space Discovery Center: Resolution creating a Planetarium Executive Committee.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

LICENSES AND CONSUMER SERVICES (270530)

Bubble Delite (2515 Nicollet Av): Consider adverse license action with respect to Restaurant License.

POLICE DEPARTMENT (270531)

Summer Safety Initiative: Report.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (270531.1)

Housing Board of Appeals: Approve appointments and reappointments.

LICENSES AND CONSUMER SERVICES (270532)

The Lounge (411 2nd Av N): Grant On-Sale Liquor Class A with Sunday Sales), subject to prohibiting Adult Entertainment.

Crescent Moon Bakery (2339 Central Av NE): Grant Sidewalk Cafe License.

Mexico y Mexico Coffee Shop & Restaurant (1831 Central Av NE): Grant Sidewalk Cafe License.

Licenses: Applications.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

FIRE DEPARTMENT (270533)

Structural Collapse Rescue Firefighting Training: Accept low bid of Spec Rescue International to provide training programs for firefighters from Minneapolis Fire Department and surrounding Departments participating in the regional collapse rescue team; and Execute contract.

POLICE DEPARTMENT (270534)

Crime Prevention Services in North Minneapolis: Accept up to \$46,653 and execute agreement with Redeemer Center for Life to support salary costs of a Crime Prevention Specialist during 2005; and Approve appropriation.

Donation to 5th Precinct: Accept donation of a treadmill from Lifetime Fitness for 5th Precinct Work Out Room.

Central Weed & Seed: Accept additional \$5,000 in federal grant funds and execute agreement with Pillsbury United Communities to fund overtime or other police services to fulfill goals of Central Steering Committee; and Approve appropriation.

Little Earth Policing Team: Execute agreement with Little Earth of United Tribes to fund base salary of a sergeant and two police officers to be assigned within Little Earth, and one-time cost for a marked police squad; Authorize increase sworn FTE by three positions; and Approve appropriation.

Midtown Safety Center: Accept \$150,200 and execute agreement with Powderhorn Park Neighborhood Association to support salary and fringe benefit costs of a Crime Prevention Specialist; and Approve appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (270535)

Quarterly Submittal of Traffic Zones, Restrictions, and Controls: Receive & file report for 2nd quarter 2005.

School Pedestrian Safety Program: Receive & file report.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

PUBLIC WORKS AND ENGINEERING (270536)

15th Av SE Street Lighting Project (5th St to Como Av): a) Designate location of project; b) Receive cost estimate and direct City Engineer to prepare assessments against benefited properties;

and c) Designate project as Street Lighting District No 1319, and set public hearing for August 23, 2005.

2005 Alley Retaining Wall Restoration Program, No FS05#3: a) Designate improvement of alley retaining wall at 5341 Girard Av S; and b) Receive cost estimate and set public hearing for August 9, 2005.

Lake Street Layout and Streetscape (Hiawatha Av S to W River Pkwy): a) Approve Hennepin County's Layout for County Project No 9754, dated June 24, 2005, requesting staff to continue to work toward retaining traffic signal at 30th Ave S & Lake St E; and b) Accept Base Level Streetscape Petition from abutting property owners, dated July 12, 2005.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**PUBLIC WORKS AND ENGINEERING (270537)**

Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St): a) Order City Engineer to do the work and adopt special assessments; b) Give preliminary approval to establish Street Lighting District No 1318; c) Increase appropriation and revenue for project by \$288,000; and d) Request Board of Estimate and Taxation to issue and sell assessment bonds for the project.

Bids: Accept a) OP #6460, low bid of Northern Air Corporation for mechanical and electrical upgrades at Public Works Street Maintenance/Police Dept Property & Evidence Facility; b) OP #6462, overall low bid of CastreJon, Inc. for turf establishment; c) OP #6463, low bid of Restoration Systems, Inc. to modify expansion joints at 7th St Parking Ramp; and d) OP #6477, low bid of Lunda Construction to complete rehabilitation of Plymouth Ave Bridge.

**WAYS AND MEANS BUDGET:**

**ATTORNEY (270538)**

2004 Ethical Practices Board Annual Report: Receive and File.

**ESTIMATE AND TAXATION (270539)**

Ticketing/Citation Process and Related Fine Revenue - Audit Report: Receive and File.

**FINANCE DEPARTMENT (270540)**

2005 Assessment for the Special Compensation Fund - 1st half: Receive and File.

Edison Youth Hockey Association Status Report: Receive and File.

**WAYS AND MEANS BUDGET (See Rep):**

**ATTORNEY (270541)**

Internet Exposure, Inc: Legal action for breach of contract relating to Solid Waste Information System.

Legal Settlements: a) Chor Yang; and b) Derek Trotter.

**BUSINESS INFORMATION SERVICES (270542)**

Unisys Contract: Amendment of Contract C-18881 to accommodate the Voice over Internet Protocol (VoIP) services.

**COMMUNICATIONS (270543)**

Utility Bill Insert: August 2005 insert on behalf of the Minneapolis Elections Office providing Minneapolis Voter Information.

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270544)**

Empowerment Zone Funds: Appropriate funds received from the U.S. Dept of Housing and Urban Development (HUD) Empowerment Zone (EZ) funds.

**CONVENTION CENTER (270545)**

2005 Waste Abatement Incentive Fund Grant: Appropriate funds received from Hennepin County.

**CONVENTION CENTER AND PURCHASING (270546)**

Bid: OP # 6469, accept low bid of Electronic Design Company for sound system upgrade/integration at the Minneapolis Convention Center.

**COORDINATOR (270547)**

Severance Pay Policy for Appointed Employees: Ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances.

2005 Charitable Campaign: Auth participation of Community Solutions Fund, Community Health Charities, Open Your Heart to the Hungry and Homeless, United Negro College Fund, United Arts, Minnesota Environmental Fund, and United Way of Minneapolis Area.

New Central Library Project: Accept revised budget, adjusted to reflect previous appropriations and funding commitments.

**FINANCE DEPARTMENT (270548)**

Financial Analyst in the Development Finance Division Position: Approve hire of Paula Mazzacano (Step 6.5).

**FINANCE DEPARTMENT (270548.1)**

Fire Department Standard of Coverage: Fiscal Analysis of Fire Department Minimum Staffing.

(See PS&RS and WM Budget Report)

**POLICE DEPARTMENT (270549)**

Police Department Buyback Funding: Authorize expenditure of overtime/buyback and 911 Response funds within existing appropriations.

**ZONING AND PLANNING (See Rep):**

**PLANNING COMMISSION/DEPARTMENT (270550)**

Appeals:

The American Swedish Institute (2636 Park Ave): Re conditions of site plan review for festival grounds;

Lund Food Holding, Inc (re 1201, 1207 & 1213 Hennepin Ave S): Re conditions of site plan review for grocery store;

Robert MacIntyre (re Brakins Homes, 908-920 Washburn Ave N): Re area pictures of proposed site.

Rezoning:

The American Swedish Institute (2636 Park Ave): Festival grounds & surface parking lot (Also see Appeals);

Gary Carlson (re Chicago Commons, 2401 Chicago Ave);

Ed Bell (113 E 26th St);

Paul & Juliette Humiston (re Moonflower Gardens, 1227-4th St NE);

Ritz Theater Foundation (343-13th Ave NE & 1101 University Ave NE).

**PLANNING COMMISSION/DEPARTMENT (270551)**

Ewing Avenue South Road & Trail Project: Determination of need for Environmental Assessment Worksheet.

Zoning Code Text Amendment:

Franklin Avenue Light Rail Transit Station Area: Ordinances amending Title 20 of the Mpls Code of Ordinances, amending zoning regulations & incentives that would apply in & around the station.

**FILED:**

**PAUL'S BOBBY & STEVE'S AUTOWORLD (270551.1)**

Paul's Bobby & Steve's Autoworld (5801 Nicollet): Site plan prepared by Phillips Architects & Contractors, Ltd.

**NEW BUSINESS (See Rep):**

**PLANNING COMMISSION/DEPARTMENT (270552)**

Robert MacIntyre (re Brakins Homes/Bassett Creek Woods Townhomes, 908-920 Washburn Ave N): Determination of need for an Environmental Assessment Worksheet.

POLICE DEPARTMENT (270553)

Downtown Safe Zone and/or Additional Police Presence: Execute agreements with the Metro Transit Police, Hennepin County Sheriff, and Minnesota State Patrol for general overtime/buyback primarily for patrol and investigative needs focusing on the Downtown Safe Zone, STOP enforcement activities, supplementing patrols (hot spots), special events, mounted patrol and targeting specific crime patterns Citywide, utilizing the \$400,000 reappropriation.

*The following reports were signed by Mayor Rybak on July 27, 2005, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

**NEW BUSINESS**

Schiff moved that the petition filed with the Minnesota Environmental Quality Board by Robert MacIntyre, et al, requesting that the City order the preparation of an Environmental Assessment Worksheet (EAW) for the Bassett Creek Woods Townhomes project at 908-920 Washburn Ave N, being developed by Brakins Homes, be denied, based on the evidence presented by the petitioners which fails to demonstrate the project may have the potential for significant environmental effects, and that the related Findings prepared by the Community Planning & Economic Development staff be adopted. Seconded.

Adopted 7/22/05. Yeas, 11; Nays, 2 as follows:

Yeas – Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Ostrow.

Nays – Samuels, Johnson.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**REPORTS OF STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 1012 E 25th St, 1016 E 25th St and the west 15 feet of 1018 E 25th St to Prima Land Inc. for \$35,487, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director.

Adopted 7/22/05.

Resolution 2005R-403, authorizing the sale of 1012 E 25th St, 1016 E 25th St and west 15 feet of 1018 E 25th St, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-403**

**By Goodman**

**Authorizing sale of land Model Cities Urban Renewal Program Disposition Parcel No's. MC 125-15, 16 & 17A .**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels MC 125-15, 16 & 17A (pt), in the Phillips neighborhood, from Prima Land Inc., hereinafter known as the Redeveloper, the Parcels MC 125-15, 16 & 17A, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**Legal Description**

That part of Lots 6 and 7, Block 7, Cole and Week's Re-arrangement of a Part of Brackett and Bovey's Addition to Minneapolis, lying West of the East 60.00 feet thereof and together with the West 15.00 feet of the West 30.00 feet of the East 60.00 feet of Lots 6 and 7, Block 7, Cole and Week's Re-arrangement of a Part of Brackett and Bovey's Addition to Minneapolis.

Whereas, the Redeveloper has offered to pay the sum of \$35,487, for Parcels MC 125-15, 16 & 17A to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on July 1, 2005, a public hearing on the proposed sale was duly held on July 12, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Model Cities Urban Renewal Program plan, as amended, is hereby estimated to be the sum of \$35,487 for Parcels MC 125-15, 16 & 17A .

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 3435 26th Av S to Rozlon Denise Thomas for \$250, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director.

Adopted 7/22/05.

Resolution 2005R-404, authorizing the sale of 3435 26th Av S, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-404**

**By Goodman**

**Authorizing sale of land Hiawatha Housing Disposition Parcel No. HIA-4**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel HIA-4, in the Corcoran neighborhood, from Rozlon Denise Thomas, hereinafter known as the Purchaser, the Parcel HIA-4, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**Legal Description**

Outlot B, Konkak Addition.

Registered land as is evidenced by Certificate of Title No. 1132760.

Whereas, the Purchaser has offered to pay the sum of \$250, for Parcel HIA-4, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, on March 11, 2005, City Council approved the waiving of the Planning Commission's review of certain real estate transactions (including sideyard dispositions) that have no relationship to the City's Comprehensive Plan.

Whereas, the City has determined the offer of \$250 to purchase the Parcel to be reasonable; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on May 20, 2005, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on July 12, 2005, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for the HIA-4 is hereby estimated to be the sum of \$250.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the offer is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Purchaser in accordance with the provisions of the executed contract and upon payment to the City of the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 3658 N 6th St to Charles La Brie for \$22,000, subject to the following conditions:



- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
  - 2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.
- The sale conditions may be waived or amended with the approval of the CPED Director.  
Adopted 7/22/05.

Resolution 2005R-405, authorizing the sale of 3658 N 6th St, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-405**  
**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. McKly 8-1.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel McKly 8-1, in the McKinley neighborhood, from Charles LaBrie, hereinafter known as the Redeveloper, the Parcel McKly 8-1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**Legal Description**

Lot 30, Block 5, Nichols-Frissell Co.'s Lyndale Park Addition to Minneapolis.

Whereas, the Redeveloper has offered to pay the sum of \$22,000, for Parcel McKly 8-1 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on July 1, 2005, a public hearing on the proposed sale was duly held on July 12, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$22,000 for Parcel McKly 8-1.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 1401 Ramsey St NE to Dwain C. Bell for \$59,950, subject to the terms described in Petn No 270521.

Adopted 7/22/05.

Resolution 2005R-406, authorizing the sale of 1401 Ramsey St NE, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-406**  
**By Goodman**

**Authorizing sale of land Grain Belt Redevelopment Project Disposition Parcel No. GB 5-8.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GB 5-8, in the Sheridan neighborhood, from Dwain C. Bell, hereinafter known as the Redeveloper, the Parcel GB 5-8, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**Legal Description**

Lot 8, Block 5, including adjacent 1/2 of vacated alley, Orth's Addition to the Town of St. Anthony.

Whereas, the Redeveloper has offered to pay the sum of \$59,950, for Parcel GB 5-8 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on July 1, 2005, a public hearing on the proposed sale was duly held on July 12, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Grain Belt Redevelopment Project plan, as amended, is hereby estimated to be the sum of \$59,950 for Parcel GB 5-8.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided,

however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the pass-through sale of the Hennepin County Regional Rail Authority (HCRRRA) property located at 900 Washington Av S and 901 Second St S (part of the block known as Parcel F in the Mills District) to Sherman Associates or an affiliated entity for \$2,520,000, plus a City pass-through fee of \$50,000, contingent upon the execution of a final purchase agreement and sale between Hennepin County Regional Rail Authority and the City.

Your Committee further recommends that the proper City officers be authorized to execute a redevelopment contract with Sherman Associates or an affiliated entity, in accordance with the key business terms outlined in Petn No 270521 and to take related implementation actions.

Adopted 7/22/05.

Resolution 2005R-407, approving the pass-through sale of the Hennepin County Regional Railroad Authority property at 900 Washington Av S and 901 Second St S, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-407**  
**By Goodman**

**Authorizing sale of land Disposition Parcel No. Parcel F.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel F, in the Downtown East neighborhood, from Sherman Associates, Inc. or related entities, hereinafter known as the Redeveloper, the Parcel F, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**Legal Description**

(See Exhibit A in Petn No 270521)

Whereas, the Redeveloper has offered to pay the sum of \$2,520,000, for Parcel F to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 1, 2005, a public hearing on the proposed sale was duly held on July 12, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Parcel F plan, as amended, is hereby estimated to be the sum of \$2,520,000 for Parcel F.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1 million in Bank Qualified Bank Direct 501(c)(3) Revenue Bonds for Turning Point, Inc. for refunding of their current bonds for their facility on the 1500 block of Golden Valley Road.

Your Committee further recommends that said matter be forwarded to the Minneapolis Community Development Agency (MCDA) Board of Commissioners for further consideration.

Adopted 7/22/05.

Resolution 2005R-408, giving preliminary and final approval to the issuance of up to \$1 million in revenue refunding bonds for Turning Point, Inc., was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-408**  
**By Goodman**

**Giving preliminary and final approval to and authorizing the refinancing of a project on behalf of Turning Point, Inc. (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.**

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$1,000,000 (the "Bond") to refund bonds previously issued by the City with respect to the Company's administrative office and chemical dependency treatment facility located at 1500 Golden Valley Road in the City (the "Project"); and

Whereas, the Project is owned by the Company, which is a Minnesota nonprofit corporation;

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at a floating interest rate expected to not exceed the Wall Street Journal Prime rate per annum, shall have a final maturity date not later than December 1, 2015, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount not to exceed \$1,000,000 for the purpose of refinancing the Project.

That the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 7/22/05.

**Comm Dev** - Your Committee, having under consideration Excorp Medical Inc. that is located in the Minneapolis Bioscience Subzone at 739 Kasota Av and having been informed of their development of a bioartificial liver system, now recommends that the proper City officers be authorized to enter into a Business Subsidy Agreement with Excorp Medical Inc. for State Biotechnology and Health Science Industry Zone employment credits, research and development credits and sales tax rebates.

Adopted 7/22/05.

**Comm Dev** - Your Committee, having under consideration the City's parking agreement with Apcoa/Standard for Parcels A and D (Milwaukee Depot parcels owned by the City), now recommends that the proper City officers be authorized to extend said parking lot agreement according to the terms set forth in Petn No 270521 (on a six month basis to allow flexibility for redevelopment plans).

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution supporting the use of Hennepin County Minnesota Environmental Initiative grant funds for assistance to The Bridge for Runaway Youth for environmental site assessment for redevelopment of 1111 and 1119 22nd St and 2209 Emerson Av S.

Adopted 7/22/05.

Resolution 2005R-409, supporting the use of Hennepin County Minnesota Environmental Initiative grant funds for assistance to The Bridge for Runaway Youth for environmental site assessment for redevelopment of 1111 and 1119 22nd St and 2209 Emerson Av S., was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-409**

**By Goodman**

**Supporting the use of Minnesota Environmental Initiative grant funds for The Bridge for Runaway Youth for environmental site assessments.**

Whereas, the City Council recognizes the value of housing services for homeless and runaway teens; and

Whereas, the City Council recognizes the value of reusing urban property; and

Whereas, The Bridge for Runaway Youth proposes the creation of a new 18 bed facility in the City of Minneapolis, which will include a variety of green features designed to make the building as environmentally sustainable as possible;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City supports the environmental financial grant by the Hennepin County Department of Environmental Services to the Minnesota Environmental Initiative for assistance to The Bridge for Runaway Youth for the redevelopment of the site at 1111 and 1119 22nd St and 2209 Emerson Av S in Minneapolis.

Adopted 7/22/05.

**Comm Dev** - Your Committee recommends concurrence with the recommendation the Mayor and City Council President for the appointment of Wesley Wheeler, 2729 E Franklin Av, to the Minneapolis Public Housing Authority Board of Commissioners, for a term beginning on 1/1/05 and ending on 12/31/06 (replacing Chandra Clark).

Adopted 7/22/05.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

**H&HS** - Your Committee, having under consideration the Mayoral appointment of Eric Eoloff to the Minneapolis Private Industry/Workforce Council to fill a private sector seat, now recommends that the residency requirement contained in Section 14.180(m)(3) of the Minneapolis Code of Ordinances be waived.

Adopted 7/22/05.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to implement a mirror program of the Federal Disadvantaged Business Enterprise (DBE) Program, and that the proper City Officers be authorized to execute an agreement with the Metropolitan Council to implement and monitor the City's DBE Program on the Nicollet Hotel Block. Further, that the Director of the Minneapolis Department of Civil Rights be authorized to make technical changes to the plan, if necessary.

Adopted 7/22/05.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to increase Master Contract #17281 with Westside Community Health Services by \$150,000, for a new contract total of \$250,000, to cover health services through the termination of the Master Contract on June 30, 2006.

Adopted 7/22/05.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the American Red Cross to receive an estimated amount of \$2,400 for assistance in the development of a health and safety curriculum specific to the American Indian community. Further, passage of the accompanying Resolution appropriating \$2,400 to Health & Family Support.

Adopted 7/22/05.

**RESOLUTION 2005R-410**  
**By Johnson Lee and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8624) by \$2,400 and increasing the Revenue Source (060-860-8624 - Source 3720) by \$2,400.

Adopted 7/22/05.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the United States Department of Health and Human Services seeking up to \$1.2 million for the period January 1, 2006 through December 31, 2009 to support a research project to validate an automated, web-based psychosocial screening instrument for pregnant women that would

identify women at high risk for food insecurity, housing instability, lack of social support, intimate partner violence, depression, cigarette smoking, alcohol use, and illegal drug use so they can be referred for appropriate interventions to enhance the likelihood of healthy birth outcomes.

Adopted 7/22/05.

**H&HS & W&M/Budget** - Your Committee, having under consideration the Teen Pregnant and Parenting Program at Henry and Edison High Schools, now recommends that the proper City Officers be authorized to execute a contract with Special School District #1 to receive an estimated amount of \$65,654 in federal grant funds for a School Based Clinic Social Worker to provide broad based and comprehensive case management to pregnant and parenting students. Further, passage of the accompanying Resolution appropriating \$65,654 to Health & Family Support.

Adopted 7/22/05.

**RESOLUTION 2005R-411**  
**By Johnson Lee and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8622) by \$65,654 and increasing the Revenue Source (060-860-8622 - Source 3210) by \$65,654.

Adopted 7/22/05.

**H&HS & W&M/Budget** - Your Committee, having under consideration the provision of food inspection services to the Minneapolis Public Schools Food Services Department, now recommends that the proper City Officers be authorized to amend Contract #C-20876 with Special School District #1 to extend the contract for an additional year, until May 31, 2008; to provide for additional inspections of the Nutrition Center and School sites; and to increase the contract fee for the 2005-06 school year to \$47,500, for the 2006-07 school year to \$48,925, and for the 2007-08 school year to \$50,392.

Adopted 7/22/05.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

**IGR** – Your Committee recommends passage of the accompanying resolution creating a Planetarium Executive Committee for overseeing the design and construction of the Minnesota Planetarium and Space Discovery Center.

Adopted 7/22/05.

Resolution 2005R-412, creating a Planetarium Executive Committee to oversee the design and construction of the Minnesota Planetarium and Space Discovery Center Project, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-412**  
**By Benson**

**Creating a Planetarium Executive Committee for overseeing the design and construction of the Minnesota Planetarium and Space Discovery Center.**

Whereas, the Minneapolis Library Board and City of Minneapolis established a New Central Library Implementation Committee to oversee the design and construction of the New Central Library; and

Whereas, in August 2002 the Minneapolis Library Board and City of Minneapolis each agreed to provide \$900,000 in order to preserve the option of including the planetarium with the New Central Library; and

Whereas, in October 2002 the City of Minneapolis and Minneapolis Library Board approved a schematic design for the New Central Library that located the planetarium as a fifth and sixth floor; and

Whereas, in September 2003 the Minneapolis Library Board agreed to contract with the Minnesota Planetarium Society to manage the planetarium operations as set forth in a memorandum of understanding; and

Whereas, the City of Minneapolis requested funding from the State of Minnesota in 2003, 2004 and 2005 to design, construct and equip a Minnesota Planetarium and Space Discovery Center; and

Whereas, the State of Minnesota announced in May 2005 a grant \$22 million to the City of Minneapolis to design, construct and equip a Minnesota Planetarium and Space Discovery Center; and

Whereas, the New Central Library Implementation Committee is scheduled to complete its work in December 2005 with the Substantial Completion of the New Central Library; and

Whereas, the Minneapolis Library Board and City of Minneapolis hereby reaffirm their commitment to work in partnership to oversee the design and construction of the Minnesota Planetarium;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That authority over the design and construction of the Planetarium is shared between the Library Board, City and Planetarium Society as set forth in a Memorandum of Understanding to be approved by all three parties.

Be It Further Resolved that the Library Board and City Council establish a Planetarium Executive Committee to oversee the design and construction of the Planetarium Project and make recommendations on major project decisions for final approval by the Library Board and City Council/Mayor.

Be It Further Resolved that the membership of this committee includes:

- The Library Director
- Two members of the Minneapolis Library Board, one of whom will serve as co-chair of the committee
- The City Coordinator
- Two members of the Minneapolis City Council: the Council Member of the Ward and the Chair of the Intergovernmental Relations Committee, one of whom will serve as co-chair of the committee
- Two members of the Minnesota Planetarium Society
- One member representing the private-sector

Be It Further Resolved that the Library Director and City Coordinator serve as lead staff.

Adopted 7/22/05.

**IGR** - Your Committee, to whom was referred a proposed ordinance amending Chapter 17 of the Minneapolis City Charter relating to the Library Board, by adding a new Section 17 pertaining to the authority of the Library Board to establish positions in the unclassified service, now recommends that said proposal be referred to the Minneapolis Charter Commission for consideration and referral to the City Council for adoption by unanimous vote.

Adopted 7/22/05.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

**PS&RS** - Your Committee, having under consideration the application of Chez Inc, dba Tracys Saloon, 2205 E Franklin Av, for a Sidewalk Cafe License (new business) to expire April 1, 2006, and an On-Sale Liquor Class E with Sunday Sales License (expansion of premises to allow outdoor seating area along narrow railing east of building) to expire October 1, 2005, and having held a public hearing thereon,



now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**PS&RS** - Your Committee, having under consideration the application of Crescent Moon Bakery Inc, dba Crescent Moon Bakery, 2339 Central Av NE, for a Sidewalk Cafe License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**PS&RS** - Your Committee, having under consideration the application of Carlos Herrera, dba Mexico y Mexico Coffee Shop & Restaurant, 1831 Central Av NE, for a Sidewalk Cafe License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**PS&RS** - Your Committee, to whom was referred back on July 1, 2005 a report relating to the application of Great Suburban World Theatre LLC, dba Suburban World Theatre, 3022 Hennepin Av, for a Sidewalk Cafe License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

**PS&RS** - Your Committee, having under consideration the application of Secure Entertainment LLC, dba The Lounge, 411 2nd Av N, for an On-Sale Liquor Class A with Sunday Sales License (change in owner from Al Di Sal Inc) to expire January 1, 2006, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities. Violation of these terms shall provide a basis for revocation of the City's consent for the licensee to operate a Class A On-Sale Liquor License.

b. final inspection and compliance with all provisions of applicable codes and ordinances.

Your Committee, also having under consideration the application for a Sidewalk Cafe License (new proprietor) to expire April 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

**PS&RS** - Your Committee, having under consideration the application of Margarita Bella Inc, dba Margarita Bella, 1032 3rd Av NE, for an On-Sale Liquor Class B with Sunday Sales License to expire July 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 7/22/05.

**PS&RS** - Your Committee, having under consideration the application of Abdelaziz Wael & Amy Hamid, dba Maxwell's Corner, 1120 Lowry Av N, for a Food Manufacturer License (new proprietor) to expire April 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**PS&RS** - Your Committee, having under consideration the application of Cedar Riverside Liquor Store Inc, dba Cedar Riverside Liquor Store, 611 Cedar Av S, for an Off-Sale Liquor License (change in location from 525 Cedar Av) to expire April 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

**PS&RS** - Your Committee recommends adoption of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/22/05.

Resolution 2005R-413, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### **RESOLUTION 2005R-413**

**By Niziolek**

#### **Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Off-Sale Liquor, to expire January 1, 2006**

Loring Park Assoc Ltd Partners, dba Hyatt Regency Minneapolis/Regency Catering, 1300 Nicollet Mall;

**Off-Sale Liquor, to expire July 1, 2006**

Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S;

**On-Sale Liquor Class A with Sunday Sales, to expire June 25, 2005**

Food and Drink Inc, dba Barfly, 711 Hennepin Av (temporary expansion of premises, June 24 & 25, 2005, 8:00 p.m. to 2:00 a.m.);

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2006**

Hexagon Bar Inc, dba Hexagon Bar, 2600 27th Av S, 1st floor;

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2006**

Ballentine VFW Post #246, dba Ballentine VFW Post #246, 2916 Lyndale Av S;

**On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2006**

Smith & Hance Entertainment Inc, dba Nomad World Pub, 501 Cedar Av S;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2006**

3 Muses Inc, dba 3 Muses, 2817 Lyndale Av S;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire July 17, 2005**

Cafe Wyrd Inc, dba Cafe Wyrd, 1600 W Lake St (temporary expansion of premises, Bastille Day, July 17, 2005, 2:00 p.m. to 10:30 p.m.);

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2006**

Lucia Watson Entr, dba Lucia's Restaurant, 1432 W 31st St;

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2006**

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St;

Irv's Bar Inc, dba Irv's Bar, 201 W Broadway;

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Av NE;

Campiello LLC, dba Campiello, 1320 W Lake St;

**Temporary On-Sale Liquor**

GLBT Pride/Twin Cities, dba GLBT Pride/Twin Cities, PO Box 2104 Loop Station (June 26, 2005, 11:00 a.m. to 3:00 p.m. at 824 Hennepin Av);

Basilica of St. Mary, dba Basilica of St. Mary (Basilica Block Party with entertainment, July 8 & 9, 2005, 5:00 p.m. to 10:30 p.m. on Basilica Grounds & 16th Av N, Linden, & 18th Av N);

**On-Sale Wine Class D with Strong Beer, to expire April 1, 2006**

Marias Cafe Inc, dba Marias Cafe, 1113 E Franklin Av;

Wazobia Nigerian Cafe & Catering LLC, dba Wazobia Nigerian Catering Service, 2817 Lyndale Av S;

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2006**

Noodle Shop Company - Minnesota Inc, dba Noodles & Company, 233 Cedar Av S;

True Thai Restaurant Ltd, dba True Thai Restaurant, 2627 E Franklin Av;

Little Tel-Aviv Inc, dba Little Tel Aviv, 3238 W Lake St;

Ras Brothers Corporation, dba Lake Street Garage, 3508 E Lake St;

Clean Plate LLC, dba Corner Table, 4257 Nicollet Av;

Atrium Restaurant Group Corp, dba Arezzo, 5057 France Av S;

**On-Sale Beer Class D, to expire April 1, 2006**

Sanmar Inc, dba Roundup Beer Hall, 201 E Lake St.

Adopted 7/22/05.

**PS&RS** - Your Committee recommends adoption of the accompanying Resolution granting applications for Business Licenses.

Adopted 7/22/05.

Resolution 2005R-414, granting applications for Business Licenses, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-414**

**By Niziolek**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 22, 2005 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No: 270532):

Dancing School; Dry Cleaner - Nonflammable; Place of Entertainment; Confectionery; Food Market Distributor; Farm Produce Permit Nonprofit; Grocery; Food Manufacturer; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Dealer Broker; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Pet

Shop; Plumber; Precious Metal Dealer; Recycling/Salvage Yard; Refrigeration Systems Installer; Rental Halls; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Exhibition Operator Class A; Swimming Pool - Public; Tattooist/Body Piercer; Taxicab Vehicle; Tobacco Dealer; Combined Trades; Tree Servicing; and Valet Parking.

Adopted 7/22/05.

**PS&RS** - Your Committee recommends adoption of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 7/22/05.

Resolution 2005R-415 granting applications for Gambling Licenses, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-415**  
**By Niziolek**

**Granting applications for Gambling Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Gambling Class B**

Minnesota Rugby Amateur Foundation, dba Minnesota Amateur Rugby Foundation, 4909 Bryant Av S (Site: Joint Cabooze, 913-17 Cedar Av);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5436 10th Av S (Site: Cloggy's, 5404 34th Av S);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5436 10th Av S (Site: Knight Cap Bar, 1500 4th St NE);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5436 10th Av S (Site: 5-9 Club, 5800 Cedar Av S);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5436 10th Av S (Site: Hexagon Bar, 2600 27th Av S);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5436 10th Av S (Site: Adrians Bar & Grill, 4812 Chicago Av S);

**Gambling Lawful Exempt**

ALS Association Minnesota Chapter, dba ALS Association, 333 Washington Av N (Raffle July 10, 2005 at Whiskey Junction, 901 Cedar Av);

Metropolitan Boys Choir, dba Metropolitan Boys Choir, PO Box 19348 (Raffle July 15, 2005 at 4832 Nicollet Av);

University of Chicago, dba University of Chicago, 400 1st St N (Raffle July 16, 2005 at Brits Pub, 1110 Nicollet Av);

USTA/Northern Section, dba USTA/Northern Section, 1001 W 98th St, Bloomington (Raffle July 20, 2005);

USTA/Northern Section, dba USTA/Northern Section, 1001 W 98th St (Raffle July 22, 2005 at One Financial Plaza, 5th St & 2nd Av S);

Accessibility Inc, dba Accessibility Inc, 360 Hoover St NE (Raffle September 15, 2005);

Sacred Heart of Jesus PNC Church, dba Sacred Heart of Jesus PNC Church, 2200 5th St NE (Raffle August 6, 2005);

Church of the Ascension, dba Church of the Ascension, 1723 Bryant Av N (Raffle September 17, 2005).

Adopted 7/22/05.

**PS&RS** - Your Committee recommends passage of the accompanying Resolution promoting the Use of Intrastate Mutual-Aid Agreements.

Adopted 7/22/05.

Resolution 2005R-416 promoting the Use of Intrastate Mutual-Aid Agreements, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-416**

**By Niziolek**

**Promoting the Use of Intrastate Mutual-Aid Agreements.**

Whereas, Minnesota Statutes Chapter 12, Section 12.331 allows for Intrastate Mutual Aid, and direct, timely assistance between jurisdictions is critical; and

Whereas, the possibility of the occurrence of natural and other disasters of major size and destructiveness exists and is increasing; and

Whereas, there is a need to ensure that preparations of the City of Minneapolis will be adequate to deal with disasters; generally protect the public peace, health, and safety; and preserve the lives and property of the people of the state; and

Whereas, it is necessary to provide for the rendering of mutual aid among the political subdivisions of the State and to cooperate with the Federal government with respect to carrying out emergency management functions; and

Whereas, it is the policy of the State of Minnesota that all emergency response functions of this State be coordinated to the maximum extent with the comparable functions of the State government, including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparations and uses may be made of the State's labor supply, resources, and facilities for dealing with any disaster that may occur; and

Whereas, the director of each local organization for emergency management may, in collaboration with other public and private agencies within this State, develop or cause to be developed mutual-aid arrangements for reciprocal emergency management aid and assistance in an emergency or disaster too great to be dealt with unassisted. These arrangements must be consistent with the local emergency operations plan and, in time of emergency, each local organization for emergency management and its members shall render assistance in accordance with the provisions of the mutual-aid arrangements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis promotes the efficiency and effectiveness of intrastate mutual aid by designating the Assistant City Coordinator for Emergency Preparedness and Regulatory Services, in cooperation and conjunction with the Fire Chief, Chief of Police, Commissioner of Health and other department heads and in accord with the terms of any mutual aid agreement should one exist, and exercising discretion and considering the needs of the political subdivision and its inhabitants, to dispatch equipment and personnel as considered necessary if a danger of fire, hazard, casualty, or another similar occurrence exists outside the political subdivision and by its suddenness it would be impractical for the governing body of the City of Minneapolis itself to authorize the dispatch of equipment and personnel to combat that emergency or disaster.

Adopted 7/22/05.

**PS&RS** - Your Committee recommends passage of the accompanying Resolution approving appointments and reappointments to the Housing Board of Appeals.  
Adopted 7/22/05.

Resolution 2005R-417, approving appointments and reappointments to the Housing Board of Appeals, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-417**  
**By Niziolek**

**Approving appointments and reappointments to the Housing Board of Appeals.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following City Council appointments and reappointments to the Housing Board of Appeals, for two year terms to expire December 31, 2006:

**Appointments**

JoAnn Velde, Director of Inspections designee  
David Dewall, Fire Department designee  
Megan Ellingson, Health & Family Support designee  
Craig Eliason, District Manager of Housing Inspection Services (ex-officio)  
Steve Heng, Assistant City Attorney (ex-officio)  
Connie Fournier, Community Planning & Economic Development designee (ex-officio)

**Reappointments**

Tom Manion, 5215 Irving Av S (Ward 13)  
Beth Hart, 2638 15th Av S (Ward 6)  
Anthony Yurkew, 5035 Sheridan Av N (Ward 4)  
Sandy Loescher, 1835 Irving Av N (Ward 5)  
Steven Leventhal, 239 W 7th St, St. Paul  
David Jordheim, 3714 Colgate Av S (Ward 13)  
Lauren Maker, 4059 Sheridan Av N (Ward 4)  
Matthew Knopp, 3150 Harriet Av S (Ward 10).  
Adopted 7/22/05.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept up to \$46,653 and execute an agreement with Redeemer Center for Life to support the salary costs of a Crime Prevention Specialist during 2005. The assigned position will provide crime prevention services to the Redeemer Center for Life, St. Philip's Catholic Church, Hennepin County Courts, members of the faith communities and residents to focus on reducing crime and improving livability in North Minneapolis. Fringe benefits for said position shall be paid by the Police Department. Further, passage of the accompanying Resolution appropriating \$46,653 to the Police Department.

Adopted 7/22/05.

**RESOLUTION 2005R-418**  
**By Niziolek and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P400) by \$46,653 and increasing the Revenue Source (030-400-P400 - Source 3210) by \$46,653.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept the donation of a treadmill, valued at \$1,000, from Lifetime Fitness for use in the Police Department's 5th Precinct Work Out Room.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the Central Weed and Seed Program, now recommends that the proper City Officers be authorized to accept an additional \$5,000 in federal grant funds and execute an agreement with Pillsbury United Communities to provide funding for overtime or other police services as deemed necessary to fulfill the goals of the Central Weed and Seed Steering Committee. Further, passage of the accompanying Resolution appropriating \$5,000 to the Police Department.

Adopted 7/22/05.

**RESOLUTION 2005R-419**  
**By Niziolek and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P300) by \$5,000 and increasing the Revenue Source (030-400-P300 - Source 3210) by \$5,000.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the Little Earth of United Tribes, in an amount not to exceed \$400,000 for a two-year period, to provide funding for the base salary of a sergeant and two police officers, and a one-time cost for a marked police squad; said positions will be assigned within Little Earth, along with existing assigned beat officers, to form the MPD Little Earth Policing Team. The Police Department shall pay the costs of fringe benefits, Mobile Digital Computer costs, ongoing yearly maintenance and fuel costs, and for a computer and computer access in office space provided by Little Earth, estimated to cost approximately \$111,411. Said agreement may be extended for an additional two years upon mutual agreement.

Your Committee further recommends that the Police Department be authorized to increase its authorized sworn Full Time Equivalent (FTE) by three positions in the Police Special Revenue Fund (210); and passage of the accompanying Resolution appropriating \$400,000 to the Police Department.

Adopted 7/22/05.

**RESOLUTION 2005R-420**  
**By Niziolek and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation

for the Police Department Agency in the Police Special Revenue Fund (210-400-P300) by \$400,000 and increasing the Revenue Source (210-400-P300 - Source 3720) by \$400,000.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the Midtown Safety Center to be located at the northeast corner of Chicago Av and Lake St, now recommends that the proper City Officers be authorized to accept \$150,200 and execute an agreement with the Powderhorn Park Neighborhood Association to provide funding to support the salary and fringe benefit costs of a Crime Prevention Specialist to work with the Midtown Safety Center and the surrounding neighborhood focusing on reducing crime and improving neighborhood livability. Further, passage of the accompanying Resolution appropriating \$150,200 to the Police Department.

Adopted 7/22/05.

**RESOLUTION 2005R-421**  
**By Niziolek and Johnson**

**Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-P300) by \$150,200 and increasing the Revenue Source (060-400-P300 - Source 3720) by \$150,200.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted by Spec Rescue International, in the amount \$86,250 in response to a Request for Proposals, to provide Structural Collapse Rescue Firefighting Training Programs for firefighters from the Minneapolis Fire Department and surrounding Fire Departments that are participating in a newly formed regional collapse rescue team. Further, that the proper City Officers be authorized to execute a contract for said training, all in accordance with City specifications.

Adopted 7/22/05.

**PS&RS & W&M/Budget** - Your Committee, to whom was referred back on July 1, 2005 a report relating to a Standard of Coverage for the Fire Department, and the Ways & Means Committee having reviewed the fiscal analysis (Petr No 270548.1), now recommends:

**PS&RS** - that the document entitled "Minneapolis Fire Department Standards of Response Coverage" be adopted as the official ratified standard of coverage for the Fire Department, as set forth in Petr No 270501 on file in the Office of the City Clerk.

**W&M/Budget** - that the document entitled "Minneapolis Fire Department Standards of Response Coverage" be adopted as the official ratified standard of coverage for the Fire Department, as set forth in Petr No 270501 on file in the Office of the City Clerk.

Your Committee further recommends that the budget staff be directed to present recommendations to the City Council to achieve the necessary revisions to the five-year financial direction in order to provide sufficient resources to meet the standard of coverage during the 2006 budget process.

Niziolek moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Public Safety & Regulatory Services Committee recommendation. Seconded.

Adopted by unanimous consent.

Lane moved that the report be referred back to Committee for consideration as part of the 2006 Mayor's budget process. Seconded.



Lost. Yeas, 4; Nays, 9 as follows:

Yeas - Zimmermann, Zerby, Goodman, Lane.

Nays - Samuels, Johnson, Colvin Roy, Schiff, Lilligren, Johnson Lee, Niziolek, Benson, Ostrow.

The report, as amended, was adopted 7/22/05. Yeas, 9; Nays, 3 as follows:

Yeas - Samuels, Johnson, Colvin Roy, Schiff, Lilligren, Johnson Lee, Niziolek, Benson, Ostrow.

Nays - Zerby, Goodman, Lane.

Declining to Vote - Zimmermann.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** - Your Committee recommends passage of the accompanying Resolution designating the location, streets, and improvements proposed to be made in the 15th Av SE (5th St to Como Av) Street Lighting Project, Special Improvement of Existing Street No 6372L.

Adopted 7/22/05.

Resolution 2005R-422, designating the improvement of 15th Av SE by installing ornamental street lights, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-422**

**By Colvin Roy**

**15th Av SE (5th St to Como Av) Street Lighting Project  
Special Improvement of Existing Street No 6372L**

**Designating the improvement of certain existing streets at the location described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8, of the Minneapolis City Charter, by installing ornamental street lights together with all necessary appurtenances and work related thereto:

15th Av SE (5th St to Como Av) from approximately the north ROW line of 5th St SE to the south ROW line of Como Av SE.

Adopted 7/22/05.

**T&PW** - Your Committee, having received a cost estimate of \$212,000 for street lighting improvements and the list of benefited properties for the 15th Av SE (5th St to Como Av) Street Lighting Project, Special Improvement of Existing Street No 6372L, as designated by Resolution 2005R-422, passed July 22, 2005, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$212,000 against the list of benefited properties by applying the street influence zone area method.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held on August 23, 2005, in accordance with Chapter 10, Section 8, of the Minneapolis City Charter, and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above-designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 7/22/05.

**T&PW** - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street

lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No. 1319 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as 15th Av SE (5th St to Como Av) (streets to receive lighting are as designated in the 15th Av SE (5th St to Como Av) Street Lighting Project, Special Improvement of Existing Street No. 6372L).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district: 54

Total assessable frontage in feet: 2275

Annual cost per foot: \$0.55

Your Committee recommends that if there should be an increase in the cost of street lighting in the future, that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a Public hearing to be held on August 23, 2005, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to consider the establishment of said proposed Street Lighting District No. 1319.

Adopted 7/22/05.

**T&PW** - Your Committee recommends passage of the accompanying Resolution designating the improvement of the alley retaining wall located behind 5341 Girard Av S. This retaining wall replacement is consistent with the City's Alley Restoration Program and is designated Special Improvement of Existing Alley No. FS05#3.

Adopted 7/22/05.

Resolution 2005R-423, designating the improvement of the 2005 Alley Retaining Wall Restoration Program (Alley Retaining Wall Replacement at 5341 Girard Av South), was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-423**

**By Colvin Roy**

**Special Improvement of Existing Alleys No. FS05#3  
2005 Alley Retaining Wall Restoration Program**

**Designating the improvement of the 2005 Alley Retaining Wall Restoration Program (Alley Retaining Wall Replacement at 5341 Girard Av South).**

Resolved by The City Council of The City of Minneapolis:

That the following existing alley retaining wall located at 5341 Girard Av S, lying within the City of Minneapolis, is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6, of the Minneapolis City Charter, by replacement with concrete modular block and including other related improvements and work as needed:

The property abutting the alley lying within the block bounded by 53rd and 54th Streets W and Girard and Fremont Avenues S and further described as:

Lot 11, Block 2, "Clarke's Harriet Park Addition 2nd Division to Minneapolis".

Adopted 7/22/05.

**T&PW** - Your Committee, having received a cost estimate of \$12,500 for alley retaining wall reconstruction improvement and the location of the benefited property for the 2005 Alley Retaining Wall Restoration Program, Special Improvement of Existing Alley No. FS05#3, as designated by Resolution

2005R-423, passed July 22, 2005, now recommends that the City Clerk be directed to give notice of a public hearing to be held on August 9, 2005, in accordance with Chapter 10, Section 6, of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above-designated alley retaining wall project.

Adopted 7/22/05.

**T&PW** - Your Committee, having under consideration the Hennepin County Department of Transportation's Lake Street Layout Plan for County Project No. 9754, County State Aid Highway 3, from Hiawatha Av S to W River Parkway, as set forth in Petn. No. 270536 on file in the office of the City Clerk, now recommends:

a) Passage of the accompanying Resolution approving the County's Layout, dated June 24, 2005, with the direction that staff continue to work toward retaining the traffic signal at the intersection of 30th Ave S and Lake Street E; and

b) Acceptance of a petition from the abutting property owners, dated July 12, 2005, for the development of Base Level Streetscape improvements.

Adopted 7/22/05.

Resolution 2005R-424, approving the Hennepin County Department of Transportation's Layout for County State Aid Highway (CSAH) 3 (Lake Street) from Hiawatha Av S to W River Parkway, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-424**

**By Colvin Roy**

**Approving the Hennepin County Department of Transportation's Layout for County State Aid Highway (CSAH) 3 (Lake Street) from Hiawatha Av S to W River Parkway.**

Whereas, the Hennepin County Department of Transportation (County) has proposed the reconstruction of Lake Street from Hiawatha Av S to W River Parkway in Minneapolis; and

Whereas, the County formed a Project Advisory Committee (PAC) consisting of representatives from the neighborhoods, businesses, and elected officials to assist with providing guidance and recommendations for the project; and

Whereas, the County formed a Technical Advisory Committee (TAC) consisting of stakeholder representatives from the County, City, Metropolitan Transit Commission, and professional service consultants to work on developing the project design and assist the PAC; and

Whereas, with the assistance of the PAC, the City and County have held many meetings and open houses with the adjacent communities to solicit input for the development of the layout; and

Whereas, the PAC voted to recommend the four-lane option (two travel lanes in each direction) maintaining the current 60 foot roadway, 6 foot bump-outs where possible, no dedicated left turn lanes, and minimizing the loss of on-street parking; and

Whereas, the City and County Departments of Public Works concur that the layout complies with the PAC's recommendation while providing for the existing and future transportation needs, and meets State standards; and

Whereas, staff has made its recommendation to the City Council based on said determination;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City approve the Hennepin County Department of Transportation's Layout (dated June 24, 2005) for County Project No. 9754, Lake Street (County State Aid Highway 3) from Hiawatha Av S to W River Parkway, as submitted.

Adopted 7/22/05.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St), Special Improvement of Existing Street No. 2258, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the Kingfield Neighborhood Street Lighting Project;
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$64,000 for the purpose of paying the assessed cost of the street lighting improvements; and
- c) Increasing the appropriation in the PW-Transportation-Street Lighting Capital Agency by \$288,000 to be reimbursed by NRP funds in the amount of \$224,000 and by special assessments in the amount of \$64,000.

Adopted 7/22/05.

Resolution 2005R-425, ordering the work to proceed and adopting the special assessments for the Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St), was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-425**  
**By Colvin Roy and Johnson**

**Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St)**  
**Special Improvement of Existing Street No 2258**

**Ordering the work to proceed and adopting the special assessments for the Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St).**

Whereas, a public hearing was held on July 12, 2005, in accordance with Chapter 10, Section 8, of the Minneapolis City Charter, and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2005R-279 passed May 13, 2005, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2005R-279, passed May 13, 2005.

Be It Further Resolved that the proposed special assessments, as on file in the office of the City Clerk, be \$64,000 and are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2006 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments on the 2006 real estate tax statements.

Adopted 7/22/05.

Resolution 2005R-426, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$64,000 for the purpose of paying the assessed cost of street lighting improvements in the Kingfield Neighborhood Street Lighting Project, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-426**  
**By Colvin Roy and Johnson**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$64,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St), Special Improvement of Existing Street No 2258, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/22/05.

**RESOLUTION 2005R-427**  
**By Colvin Roy and Johnson**

**Amending The 2005 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation in the PW-Transportation-Street Lighting Capital Agency in the Permanent Improvement Projects Fund by \$288,000 (4100-943-9432) and increasing the revenue sources (4100-943-9432-3845) by \$224,000 and (4100-943-9432-3910) by \$64,000.

Adopted 7/22/05.

**T&PW & W&M/Budget** - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was held on July 12, 2005 to consider the establishment of Street Lighting District No. 1318 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No. 1318 (streets to receive lighting are as designated in the Kingfield Neighborhood Street Lighting Project (Nicollet Av from 36th to 40th St), Special Improvement of Existing Street No. 2258) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on May 13, 2005, be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No. 1318 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted 7/22/05.

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying Resolution approving bids submitted to the Public Works Department, all in accordance with City specifications (Petn No. 270537).

Adopted 7/22/05.

Resolution 2005R-428, granting approval of the bids for: a) mechanical and electrical upgrades at the Public Works Street Maintenance/Police Department Property and Evidence Facility; b) turf establishment; c) modifying expansion joints of the 7th St Parking Ramp; and d) rehabilitation of the Plymouth Av Bridge, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-428**  
**By Colvin Roy and Johnson**

**Granting approval of the bids for projects and/or services for the City of Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications, and contingent upon approval of the Civil Rights Department. (Petn No 270537)

a) OP #6460, Accept low bid of Northern Air Corporation, in the amount of \$568,603, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the mechanical and electrical upgrades at the Public Works Street Maintenance/Police Department Property and Evidence Facility located at 6024 Harriet Av S;

b) OP #6462, Accept overall low bid of CastreJon, Inc., for an estimated annual expenditure of \$200,000, to furnish and deliver turf establishment;

c) OP #6463, Accept low bid of Restoration Systems, Inc., in the amount of \$108,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to modify expansion joints on the roof level of Garage A of the 7th Street Parking Ramp; and

d) OP #6477, Accept low bid of Lunda Construction, in the amount of \$1,700,961.33, to complete the rehabilitation of the Plymouth Avenue Bridge.

Adopted 7/22/05.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

**W&M/Budget** - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending Section 20.455 and by adding a new Section 20.456 entitled *2005 Severance Pay for Appointed Employees*, and having held a public hearing, now recommends that said ordinance be given its second reading for amendment and passage.

Zerby moved to amend the report by substituting an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending Section 20.455 (c) and adding a new Section 20.456 entitled *2005 Severance Pay for Appointed Employees*, providing the terms under which certain appointed employees may receive severance pay (25% of annual salary) and health insurance coverage (6 months COBRA). Seconded.

Lost. Yeas, 6; Nays, 7 as follows:

Yeas - Samuels, Zimmermann, Schiff, Zerby, Johnson Lee, Ostrow.

Nays - Johnson, Colvin Roy, Lilligren, Niziolek, Benson, Goodman, Lane.

The report and accompanying ordinance were adopted 7/22/05.

Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Lane.

Ordinance 2005-Or-057 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending Section 20.455 and adding a new Section 20.456 entitled *2005*

*Severance Pay for Appointed Employees*, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-057**  
**By Ostrow, Zerby, Johnson Lee**  
**and**  
**Intro & 1<sup>st</sup> Reading: 5/13/05**  
**Ref to: W&M/Budget**  
**2<sup>nd</sup> Reading: 7/22/05**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 20.455 of the above-entitled ordinance be amended to read as follows:

**20.455. 1999 Severance pay for appointed employees.** (a) Beginning January 1, 1999, all full-time appointed employees who are not represented through a collective bargaining agreement with the city, including the Executive Director of the Minneapolis Community Development Agency, but excluding those appointees in the council's and mayor's offices, shall enter into an employment contract with the city. The employment contract shall set forth all the terms and conditions of employment, including, except for those employees who are appointed for a term, the condition of employment that the employee is "at will" and may be removed from the appointed position by the appointing authority with or without cause. The employment contract shall provide that if the employee is removed from the employee's position, other than for malfeasance, misfeasance, or nonfeasance in office, the employee shall receive a lump sum payment equal to fifty (50) percent of the employee's annual salary. The payment of this severance pay is pursuant to Minnesota Statutes Section 465.72 and 465.722 and is conditioned upon the employee agreeing to release the city from any and all causes of action or claims the employee may have against the city and complying with all applicable notice, waiver and rescission provisions in federal and state law and is in addition to any contribution to the health care savings plan authorized by section 20.440. Severance payments under this section shall be paid within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods. Employees who elect to not execute a general release of causes of action or claims have no right to any severance payment under this section. In no event shall any severance payment exceed the amount allowed under Minnesota law.

(b) Those appointed employees that execute the release described in paragraph (a) and subsequently return to or accept another city position shall receive as severance pay an amount equal to the difference between the annual salary in the position from which the employee was terminated and the annual salary for the position into which the employee is reemployed up to the maximum allowed in paragraph (a).

(c) The provisions of section 20.455 shall apply only to those appointed employees who are appointed city employees on August 31, 2005.

Section 2. That Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.456 to read as follows:

**20.456. 2005 Severance pay for appointed employees.** (a) Beginning, September 1, 2005, all full-time appointed employees who are not represented through a collective bargaining agreement with the city but excluding those appointees in the council's and mayor's offices, shall enter into an employment contract with the city. The employment contract shall set forth all the terms and conditions of employment, including, except for those employees who are appointed for a term, the condition of

employment that the employee is "at will" and may be removed from the appointed position by the appointing authority with or without cause. The employment contract shall provide that if the employee is removed from the employee's position, other than for malfeasance, misfeasance, or nonfeasance in office during his/her first three (3) years, he/she shall receive a lump sum payment equal to six (6) months annual salary. The lump sum payment shall be reduced by one month for each additional year of service in the position beyond the third year with the minimum lump sum payment equal to three (3) months of the employee's annual salary. The payment of this severance pay is pursuant to Minnesota Statutes Section 465.72 and 465.722 and is conditioned upon the employee agreeing to release the city from any and all causes of action or claims the employee may have against the city and complying with all applicable notice, waiver and rescission provisions in federal and state law and is in addition to any contribution to the health care savings plan authorized by section 20.440. Severance payments under this section shall be paid within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods. Employees who elect to not execute a general release of causes of action or claims have no right to any severance payment under this section. In no event shall any severance payment exceed the amount allowed under Minnesota law.

(b) In addition to the severance payment in paragraph (a), the city will pay the full amount of the first six (6) months of COBRA (Consolidated Omnibus Budget Reconciliation Act) payments for health insurance for those appointed employees who are removed, provide the city the general release required in paragraph (a) and do not accept another city position.

(c) If the Executive Committee does not intend to reappoint a department head who is appointed for a term, the Executive Committee shall provide notice of its decision to that department head at least three (3) months prior to the end of the department head's current term. If the Executive Committee fails to provide such notice, the department head shall receive, at the sole discretion of the Executive Committee, either an additional three (3) months of severance pay or outplacement assistance in an amount equal to three (3) months of severance pay.

(d) Those appointed employees that execute the release described in paragraph (a) and subsequently return to or accept another city position shall receive as severance pay an amount equal to the difference between the annual salary in the position from which the employee was terminated and the annual salary for the position into which the employee is reemployed up to the maximum allowed in paragraph (a).

Adopted 7/22/05. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Lane.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to initiate legal actions as deemed necessary against Internet Exposure, Inc. for breach of contract and other claims relating to the development of the Solid Waste Information System.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends adoption of the accompanying Resolution authorizing settlement of legal matters, as recommended by the City Attorney.

Adopted 7/22/05.

Resolution 2005R-429, authorizing settlement of the legal claims of Chor Yang, and Derek Trotter, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-429**  
**By Johnson**

**Authorizing legal settlements.**



Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

- a) Chor Yang, by payment of \$30,000 to Ms. Chor Yang and her attorney, Timothy J. Johnson; and
- b) Derek Trotter, by payment of \$9,000 to Mr. Derek Trotter and his attorney, David Shulman; and

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to increase the Unisys Contract (C-18881) to accommodate the Voice over Internet Protocol (VoIP) services needed (as outlined in Petn No 270542) in the amount of \$78,027.71. The cost of the services will be paid through the Business Information Services (BIS) Operating Fund (6400-880-8870) for the implementation.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends passage of the accompanying Resolution increasing the appropriation to the Convention Center budget to reflect the receipt of Waste Abatement Incentive grant funds in the amount of \$45,000 received from Hennepin County for providing recycling containers and training for a Convention Center Recycling Program.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

#### **RESOLUTION 2005R-430**

**By Johnson**

#### **Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Convention Center Agency in the Convention Center Related Fund (0600-MCC) by \$45,000 and increasing the revenue source (0600-MCCE- Source 3455-01) by \$45,000.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 8/3/05)

**W&M/Budget** - Your Committee recommends approval of the August 2005 utility billing insert on behalf of the Minneapolis Elections Office providing Minneapolis voter information.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends acceptance of U.S. Department of Housing and Urban Development (HUD) and Empowerment Zone (EZ) funds in the amount of \$661,333.

Your Committee further recommends passage of the accompanying Resolution increasing the appropriation to the Community Planning & Economic Development agency to reflect the receipt of said funds.

Adopted 7/22/05.

#### **RESOLUTION 2005R-431**

**By Johnson**

#### **Amending The 2005 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation

for the Community Planning & Economic Development Agency in the Grants - Federal Fund (0300-890-8942) by \$661,333, and increasing the revenue source (0300-890-8942 - Source 3210) by \$661,333.  
Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends approval of the following charitable campaign federations to participate in the 2005 City of Minneapolis Charitable Campaign.

- a. Community Solutions Fund; and
- b. Community Health Charities; and
- c. Open Your Heart to the Hungry and Homeless; and
- d. United Negro College Fund; and
- e. United Arts; and
- f. Minnesota Environmental Fund; and
- g. United Way of Minneapolis Area.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends that the Finance Department be authorized to hire Ms. Paula Mazzacano to the position of Financial Analyst in the Development Finance Division (Step 6.5).

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends acceptance of the low bid of Electronic Design Company on OP #6469 in the amount of \$836,503 to furnish all labor, materials, equipment and incidentals necessary to accomplish the sound system upgrade / integration at the Minneapolis Convention Center set forth in Petn No 270546 on file in the Office of the City Clerk.

Your Committee further recommends that the proper City Officers be authorized and directed to execute a contract for this project in accordance with City specifications and contingent on approval of the Civil Rights Department.

Adopted 7/22/05.

**W&M/Budget** - Your Committee recommends concurrence with the New Central Library Implementation Committee's recommendation to adopt a revised budget of \$138,793,700 to reflect previous appropriations and funding commitments as set forth in Petn No 270547 on file in the Office of the City Clerk.

Adopted 7/22/05.

**W&M/Budget** - Your Committee, having under consideration a request from the Police Department for appropriation of additional funds to be used for overtime/buyback police services and 911 response services, now recommends that the Police Department be authorized to expend \$192,000 for said services, payable from the existing department appropriation.

Your Committee further recommends that the proper city staff be directed to report back to the Ways & Means / Budget Committee if additional appropriations are required.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

The **ZONING & PLANNING** Committee submitted the following reports:

**Z&P** - Your Committee, having under consideration the appeal filed by The American Swedish Institute from the decision of the Planning Commission which conditioned approval of the site plan review application for festival grounds and a surface parking lot at 2636 Park Ave subject to a) the design and installation of a landscaping plan that incorporates a variety of plant materials and that the applicant comply with the minimum tree and shrub requirement required by Section 530.160; and b) the parking lot shall being screened on all three sides with landscaping or a combination of landscaping and fencing as required by Section 530.170, now recommends that said appeal be denied.

Your Committee further recommends that the deadline for site plan review compliance be extended to June, 2008.

Adopted 7/22/05.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of The American Swedish Institute (BZZ-2344) to rezone the property at 2636 Park Ave from R6 to the OR2 District to permit festival grounds and a surface parking lot, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/22/05.

Ordinance 2005-Or-058, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2636 Park Ave to the OR2 District, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-058**  
**By Schiff**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 7/22/05**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. Lots 7 through 18, Block 1, Home Addition to Minneapolis, Hennepin County, Minnesota, together with that part of adjacent alley which accrued thereto by reason of vacation thereof, and that part of lot 19, Block 1, Home Addition to Minneapolis, Hennepin County, Minnesota, lying westerly of the East 8 feet of said Lot 19 (2636 Park Ave - Plate 25) to the OR2 District.

Adopted 7/22/05.

**Z&P** - Your Committee, having under consideration the appeal filed by Lund Food Holding, Inc from the decision of the Planning Commission which conditioned approval of the site plan review for a grocery store at 1201, 1207 and 1213 Hennepin Ave S subject to a) requiring a seven-foot tree island in the interior of the parking lot; b) requiring that the green roof be available to patrons; and c) requiring the green roof soil to be a depth of four inches, now recommends –

a) That the appeal relating to a seven-foot tree island be granted, accepting the alternative compliance of an additional 1,500 square feet of green roof, finding i) that a 1,500 square foot green roof is better for storm water management; and ii) shadow studies indicate the shadowing from the Bellevue mitigates the urban heat island effect;

b) That the appeal relating to the green roof be granted, accepting that the green roof will be available to patrons based on the applicant's store policy; and

c) That the appeal relating to the roof soil depth be denied, based on the applicant's revised plan for soil depth of four inches.

Adopted 7/22/05.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in denying the petition of Gary Carlson (BZZ-2375) to rezone the property at 2401 Chicago Ave S from OR2 to the C2

District with the Pedestrian Oriented Overlay District to permit four additional commercial spaces to replace four spaces approved for offices in a mixed-use development, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Adopted 7/22/05.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Ed Bell (BZZ-2342) to rezone the southern portion of the property at 113 E 26<sup>th</sup> St from R2B to the C2 District to permit a mixed-use development including commercial space and 14 dwelling units, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/22/05.

Ordinance 2005-Or-059, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the southern portion of the property at 113 E 26<sup>th</sup> St to the C2 District, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-059**  
**By Schiff**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 7/22/05**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. Lots 1, 2, 3 and 4, Block 3, Corson's Addition to Minneapolis, Hennepin County, Minnesota (113 E 26<sup>th</sup> St - Plate 25) to the C2 District.

Adopted 7/22/05.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in denying the petition of Paul and Juliette Humiston (BZZ-2363) to rezone the property at 1227 – 4<sup>th</sup> St NE from R2B to the C1 District to permit a greenhouse/lawn and garden supply store, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Adopted 7/22/05.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission granting the petition of Ritz Theater Foundation (BZZ-2396) to rezone the properties at 343 – 13<sup>th</sup> Ave NE from C1 to the C2 District, and 1101 University Ave NE by adding the Transitional Parking Overlay District to the existing R1A zoning, to permit an indoor theater, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/22/05.

Ordinance 2005-Or-060, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 343 – 13<sup>th</sup> Ave

NE to the C2 District and 1101 University Ave NE by adding the Transitional Parking Overlay District to the existing R1A zoning, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-060**  
**By Schiff**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 7/22/05**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the following parcels of land, pursuant to MS 462.357:

A. The east 57 feet of Lot 8 and the West 23 feet of Lot 9, Block 8, Marshall Addition to St. Anthony (343 – 13<sup>th</sup> Ave NE - Plate 9) to the C2 District.

B. Block 16 including adjacent 7 feet of Broadway vacation, Marshall Addition and all of Sheridan Field (1101 University Ave NE – Plate 9) by adding the Transitional Parking Overlay District to the existing R1A District.

Adopted 7/22/05.

**Z&P**- Your Committee, having under consideration the petition filed with the Minnesota Environmental Quality Board by Thomas Goodman, attorney on behalf of petitioners, requesting that the City order the preparation of an Environmental Assessment Worksheet (EAW) for the Ewing Avenue South Road and Trail Project, in the area bounded approximately by Ewing Ave from Cedar Lake Rd to 22<sup>nd</sup> St W, now recommends adoption of the Findings prepared by the Community Planning & Economic Development staff, and that the petition for the EAW be denied based on a) the evidence presented by the petitioners fails to demonstrate the project may have the potential for significant environmental effects; b) the project has been modified to respond to the petitioners' primary concern; c) Minnesota Rules 4410.4600 Subp. 14C and 14D exempt the project from the state's environmental review process; and d) the project does not warrant a Discretionary EAW as defined in Minnesota Rules 4411.4500 because it does not have the potential for significant environmental effects.

Adopted 7/22/05.

**Z&P**- Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances to implement Transit Station Area policies of the *Minneapolis Plan* related to land use, density, building form and placement, accessory parking and bicycle parking by adding Pedestrian Oriented (PO) Overlay District text and map amendments for the Franklin Avenue Light Rail Transit station area, now concurs in the recommendation of the Planning Commission that the following ordinances be given their second reading for amendment and passage, and that the related findings be adopted:

a) Amending Chapter 521 relating to *Zoning Code: Zoning Districts and Maps Generally*; and

b) Amending Chapter 551 relating to *Zoning Code: Overlay Districts*.

Adopted 7/22/05.

Ordinance 2005-Or-061, amending Title 20, Chapter 21 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts & Maps Generally, amending Section 521.30 by applying the Pedestrian Oriented Overlay District to parcels of land identified on Overlay Zoning District Plates 20 and 21 that are associated with the Franklin Avenue Light Rail Station, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-061**  
**By Schiff**  
**Intro & 1st Reading: 12/23/04**  
**Ref to: Z&P**  
**2nd Reading: 7/22/05**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the Minneapolis Code of Ordinances be amended by applying the Pedestrian Oriented Overlay District to the following parcels of land, or portions thereof, listed below and identified on the Overlay Zoning District Plates 20 and 21 (Franklin Avenue Light Rail Transit Station area):

A. The following parcels in Plate 20:

<b>PID</b>	<b>PORTION THEREOF</b>	<b>HOUSE NUMBER</b>	<b>STREET</b>
2602924430145 (PART)	E 88 FT OF LOTS 6 AND 7 BLK 9 C L WILLES ADDN	1115	19TH ST E
2602924340155		1100	FRANKLIN AVE E
3502924210042		1101	FRANKLIN AVE E
2602924340099		1112	FRANKLIN AVE E
3502924210198		1113	FRANKLIN AVE E
3502924210039		1119	FRANKLIN AVE E
3502924210040		1123	FRANKLIN AVE E
2602924430081		1300	FRANKLIN AVE E
3502924120168		1301	FRANKLIN AVE E
2602924430082		1304	FRANKLIN AVE E
2602924430083		1308	FRANKLIN AVE E
3502924120169		1311	FRANKLIN AVE E
2602924430080		1314	FRANKLIN AVE E

B. The following parcels in Plate 21:

<b>PID</b>	<b>PORTION THEREOF</b>	<b>HOUSE NUMBER</b>	<b>STREET</b>
2602924430062		1915	14TH AVE S
2602924430194		1921	14TH AVE S
2602924430013		1909	15TH AVE S
2602924430014		1911	15TH AVE S
2602924430139		1913	15TH AVE S
3502924110008		2121	16TH AVE S
2602924440067		803	17TH AVE S
2602924440007		814	17TH AVE S
2602924440008		816	17TH AVE S
2602924440009		822	17TH AVE S

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2602924440081	823	17TH AVE S
2602924440010	826	17TH AVE S
2602924440017	837	17TH AVE S
2502924330114	806	19TH AVE S
2502924330062	821	19TH AVE S
2502924330074	904	19TH AVE S
2502924330076	916	19TH AVE S
2502924330116	924	19TH AVE S
2602924440093	1600	19TH ST E
2502924330164	900	20TH AVE S
2502924330096	905	20TH AVE S
2502924330095	915	20TH AVE S
2502924330094	925	20TH AVE S
2502924330089	904	21ST AVE S
2502924340043	911	21ST AVE S
2502924340042	919	21ST AVE S
2502924340041	923	21ST AVE S
2502924330090	924	21ST AVE S
3602924210476	2001	21ST AVE S
3602924220086	2011	21ST AVE S
3602924220106	2012	21ST AVE S
3602924220009	2100	21ST AVE S
3602924220088	2101	21ST AVE S
3602924210419	2113	21ST AVE S
3502924120224	1404	21ST ST E
3502924120212	1504	21ST ST E
2502924340081	912	22ND AVE S
3602924210133	2020	22ND AVE S
3602924210132	2104	22ND AVE S
3602924210131	2112	22ND AVE S
3602924220039	1820	22ND ST E
3602924220040	1834	22ND ST E
3602924220022	1912	22ND ST E
3602924220021	1914	22ND ST E
3602924220051	1915	22ND ST E
2502924340078	901	24TH AVE S
2502924340071	911	24TH AVE S
2502924340070	915	24TH AVE S
2502924340069	917	24TH AVE S
2502924340058	921	24TH AVE S
3602924220042	1866	24TH ST E
3602924220043	1868	24TH ST E
2502924430061	910	25TH AVE S
2502924330088	1809	9TH ST S
2502924330117	2001	9TH ST S
2502924340067	2121	9TH ST S
2502924340077	2401	9TH ST S
2502924340076	2403	9TH ST S
2502924340075	2405	9TH ST S
2502924340074	2407	9TH ST S
2502924430142	2409	9TH ST S
2502924430141	2411	9TH ST S

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2502924430140	2413	9TH ST S
2502924430139	2415	9TH ST S
2502924430138	2417	9TH ST S
2502924430137	2419	9TH ST S
2502924430136	2421	9TH ST S
2502924430135	2423	9TH ST S
2502924430143	2425	9TH ST S
3502924110016	2001	BLOOMINGTON AVE S
3502924120003	2008	BLOOMINGTON AVE S
3502924110160	2015	BLOOMINGTON AVE S
3502924120009	2020	BLOOMINGTON AVE S
2502924330159	815	CEDAR AVE S
2502924330017	825	CEDAR AVE S
2502924330018	829	CEDAR AVE S
2502924330086	901	CEDAR AVE S
2502924330112	905	CEDAR AVE S
2502924330083	913	CEDAR AVE S
2502924330082	917	CEDAR AVE S
3602924220001	2001-1/2	CEDAR AVE S
3602924220032	2001	CEDAR AVE S
3502924110007	2012	CEDAR AVE S
3602924220033	2019	CEDAR AVE S
3502924110001	2024	CEDAR AVE S
3502924110002	2028	CEDAR AVE S
3602924220034	2103	CEDAR AVE S
3602924220035	2105	CEDAR AVE S
3602924220036	2109	CEDAR AVE S
3602924220037	2113	CEDAR AVE S
2602924430148	1400	FRANKLIN AVE E
3502924120225	1401	FRANKLIN AVE E
2602924430070	1404	FRANKLIN AVE E
2602924430067	1406	FRANKLIN AVE E
2602924430068	1408	FRANKLIN AVE E
2602924430069	1410	FRANKLIN AVE E
2602924430190	1412	FRANKLIN AVE E
2602924430124	1416	FRANKLIN AVE E
2602924430123	1420	FRANKLIN AVE E
3502924120223	1425	FRANKLIN AVE E
2602924430020	1500	FRANKLIN AVE E
2602924430021	1504	FRANKLIN AVE E
3502924120211	1507	FRANKLIN AVE E
2602924430022	1510	FRANKLIN AVE E
3502924120005	1513	FRANKLIN AVE E
3502924120004	1515	FRANKLIN AVE E
3502924120002	1517	FRANKLIN AVE E
3502924120001	1519	FRANKLIN AVE E
3502924110015	1525	FRANKLIN AVE E
3502924110014	1529	FRANKLIN AVE E
2602924430193	1530	FRANKLIN AVE E
3502924110013	1533	FRANKLIN AVE E
3502924110012	1545	FRANKLIN AVE E
3502924110011	1551	FRANKLIN AVE E



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2602924440065	1800	FRANKLIN AVE E
2602924440015	1802	FRANKLIN AVE E
3602924220103	1845	FRANKLIN AVE E
2502924330093	2000	FRANKLIN AVE E
2502924330166	2020	FRANKLIN AVE E
3602924220102	2027	FRANKLIN AVE E
3602924210475	2111	FRANKLIN AVE E
3602924210451	2123	FRANKLIN AVE E
2502924340083	2124	FRANKLIN AVE E
2502924340082	2128	FRANKLIN AVE E
3602924210115	2129	FRANKLIN AVE E
2502924340051	2200	FRANKLIN AVE E
3602924210173	2201	FRANKLIN AVE E
3602924210172	2205	FRANKLIN AVE E
3602924210171	2209	FRANKLIN AVE E
3602924210157	2219	FRANKLIN AVE E
2502924340068	2220	FRANKLIN AVE E
3602924210156	2221	FRANKLIN AVE E
3602924210376 (PART)	LOT 1 AND N 32 FT OF LOT 2, BLOCK 1 OF MILWAUKEE MALL ADDN	
2502924340053	2227	FRANKLIN AVE E
3602924210061	2300	FRANKLIN AVE E
3602924210474	2301	FRANKLIN AVE E
3602924210058	2307	FRANKLIN AVE E
3602924210057	2313	FRANKLIN AVE E
3602924210418	2317	FRANKLIN AVE E
2502924340054	2327	FRANKLIN AVE E
3602924210415	2328	FRANKLIN AVE E
2502924430146	2401	FRANKLIN AVE E
3602924120196	2424	FRANKLIN AVE E
3602924120194	2425	FRANKLIN AVE E
2602924440063	2429	FRANKLIN AVE E
3602924220003	1909	HIAWATHA AVE
2502924330115	2225	HIAWATHA AVE
2502924330061	1819	MINNEHAHA AVE
2502924330012	1901	MINNEHAHA AVE
3602924220013	1931	MINNEHAHA AVE
3602924220097	2001	MINNEHAHA AVE
3602924220012	2010	MINNEHAHA AVE
3602924220011	2101	MINNEHAHA AVE
3602924220101	2105	MINNEHAHA AVE
3602924220020	2112	MINNEHAHA AVE
3602924220010	2120	MINNEHAHA AVE
3602924220052	2121	MINNEHAHA AVE
3602924220053	2200	MINNEHAHA AVE
3602924220054	2204	MINNEHAHA AVE
3602924220055	2208	MINNEHAHA AVE
3602924220056	2212	MINNEHAHA AVE
3602924220057	2300	MINNEHAHA AVE
3602924220058	2304	MINNEHAHA AVE
	2308	MINNEHAHA AVE

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3602924220059	2310	MINNEHAHA AVE
3602924220060	2316	MINNEHAHA AVE
3602924220062	2320	MINNEHAHA AVE
3602924220061	2322	MINNEHAHA AVE
3602924220063	2330	MINNEHAHA AVE
3602924220023	2115	SNELLING AVE
3602924220045	2200	SNELLING AVE
3602924220046	2206	SNELLING AVE
3602924220047	2210	SNELLING AVE
3602924220048	2214	SNELLING AVE
3602924220105	2215	SNELLING AVE
3602924220049	2218	SNELLING AVE
3602924220071	2223	SNELLING AVE
3602924220050	2304	SNELLING AVE
3602924220070	2309	SNELLING AVE
3602924220093	2317	SNELLING AVE
3602924220092	2323	SNELLING AVE

Adopted 7/22/05.

Ordinance 2005-Or-062, amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts, amending Section 551.175 to implement Transit Station Area polices of the Minneapolis Plan related to land use, density, building form and placement, accessory parking and bicycle parking by adding Pedestrian Oriented Overlay District text for the Franklin Avenue Light Rail Transit station area, was adopted 7/22/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2005-Or-062**  
**By Schiff**  
**Intro & 1st Reading: 12/23/04**  
**Ref to: Z&P**  
**2nd Reading: 7/22/05**

**Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.**

The City Council of The City of Minneapolis do ordain as follows:

**Section 1.** That Section 551.175 of the Minneapolis Code of Ordinances be amended to read as follows:

**551.175. Transit Station Areas.** The following additional regulations shall govern development within PO Overlay Districts in and around the following transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station  
Franklin Avenue LRT Station  
 Lake Street/Midtown LRT Station  
 38th Street LRT Station  
 46th Street LRT Station

- (1) Prohibited Uses. The following uses shall be prohibited in the PO Overlay District:
- a. Self service storage
  - b. Commercial parking lots, including the expansion of any existing commercial parking lot.
  - c. The conversion of any accessory parking lot to a commercial parking lot.

- (2) *Wholesaling, warehousing and distribution*; Furniture moving and storage. Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
- (3) *Density bonuses*. Where the primary zoning district provides a density bonus, such bonus shall be thirty (30) percent.
- (4) *Minimum floor area*. New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this ordinance.

**Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements**

Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial District	Residence and OR1 Districts
Cedar-Riverside	1.0	1.0	none
<u>Franklin Avenue</u>	<u>1.0</u>	<u>1.0</u>	<u>none</u>
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none

- (5) *Off-street parking*. (a) Nonresidential uses. The minimum off-street parking requirement shall be seventy five (75) percent of the number specified in Chapter 541, Off-Street Parking and Loading.
- (b) Multiple-Family Dwellings. The minimum off-street parking requirement shall be ninety (90) percent of the number specified in Chapter 541, Off-Street Parking and Loading.
- (6) *Bicycle parking requirement*. (a) Nonresidential uses. Each nonresidential use shall provide a minimum of two (2) bicycle parking spaces or one (1) space for each ten (10) accessory automobile parking spaces, whichever is greater.
- (b) *Multiple-Family Dwellings*. For multi-family residential uses, a minimum of one secured bicycle parking space shall be provided for each dwelling unit. Bicycle parking spaces shall be in enclosed and secured or supervised areas providing protection for each bicycle from theft, vandalism and weather.

Adopted 7/22/05.

**Z&P** - Your Committee, to whom was referred back on 7/1/05 the appeal filed by Robert MacIntyre from the decision of the Planning Commission which approved applications of Akinyele Akinsanya, for Brakins Homes, for a) conditional use permit; b) 23 percent lot area variance; c) front yard variance; and d) site plan review, for a seven-unit townhome development (Bassett Creek Woods Townhomes) at 908-920 Washburn Ave N, and having held further discussion thereon, now recommends that said appeal be denied and the applications granted, and that the related findings prepared by the Planning Commission be adopted.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

## MOTION

Zerby introduced the subject matter of an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, which was given its first reading and referred to the Transportation & Public Works Committee (adding a new chapter establishing Chicago Ave between W River Pkwy and 2nd St S as the "Chicago Avenue Mall").

**RESOLUTION**

Resolution 2005R-432, congratulating the 2004 winners of the Minneapolis Blooms Awards, was adopted 7/22/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-432**

**By Zerby, Schiff, Ostrow, Samuels, Johnson, Johnson Lee, Zimmermann, Goodman, Lilligren, Niziolek, Benson, Colvin Roy and Lane**

**Congratulating the 2004 winners of the Minneapolis Blooms Awards.**

Whereas, Minneapolis is home to some of the best gardens in America; and

Whereas, The Minneapolis Blooms Program encourages and recognizes publicly visible gardens that protect water quality, feature blooming plants use native species, and beautify the City; and

Whereas, 52 gardens, from every ward in the City were awarded First Place Exceptional awards; and

Whereas, Ward 2 led the way with 8 award winning gardens; and

Whereas, Greg Lecker from the Bryn Mawr neighborhood was awarded the Nate Siegel Award which is Minneapolis' top garden award; and

Whereas, Six other gardens from across the City were chosen for special awards;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis congratulates the 2004 Minneapolis Blooms Program first place award winners: Dean Abrahamson, Renee Allen, Del Allmendinger, Norman Berns, Casey Bradley, C. Elaine Brubaker, Gisela Corbett, Bill Crain, Thomas DeGree, Bernard "Bud" Dicks, Joseph Dunker, Sherri Flagg, Geri Frank, Catherine Furnberg, Derrik Gagliardi, Lucy Gerold, Robin Getman & Kathy Marah, Pat Gill, Brent & Jill Goodermont, Jane Grangaard, Mark Grosshans, Eloise Hartmann, Gerilyn Hommerding, Sigurd Hoppe, Katya Iwaskeewycz, Carolyn Jensen, Paul Kirkman, Pamela Korell & Larry Guthrie, Len's Amoco Certicare, Skip Liepke, Daniel Mahowald, Meryl Miller, Brian Morseth, Larry Opelt, Bob Peyton & Denise Draher, Nancy Reynolds, Kathryn Rosebear & S. Parsons, Lynn Rossom, Sonny Schneiderhan, Susie Schueneman, Diane Skoglund, Cathy Swope, Kent and Sandy Thometz, Quinn Tierney, Joseph Van Beusekom, Joyce Vincent, Mark Wald, Barbara White, Tammy Wong, Barb Zipperman.

The Special Award Winners: Margarita Mac, Josine Peters, Ethel Lunde, International Market Square, Kenny School, and Vera's Garden-Midtown Greenway.

Adopted 7/22/05.

**UNFINISHED BUSINESS**

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Velocity Investments, dba Le Parisien, LLC (BZZ-2273) to rezone the properties at 2301-09 Lyndale Ave S from C1 to the C2 District to permit a mixed-use building designed as a shopping center with ground floor and second story commercial uses, green rooftop garden space and 13 dwelling units with enclosed parking, notwithstanding staff recommendation, and adopting the related findings prepared by the City Planning Commission.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Schiff moved to deny the petition to rezone. Seconded.

Zimmermann moved a substitute motion to approve the rezoning, and direct staff to draft the necessary Findings of Fact. Seconded.

Niziolek moved a substitute motion that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote 7/22/05.

### NEW BUSINESS

Johnson moved that the proper City Officers be authorized to execute agreements with the Metro Transit Police, Hennepin County Sheriff, and Minnesota State Patrol, as necessary utilizing the \$400,000 reappropriation, for general overtime/buyback, primarily for patrol and investigative needs, focusing on the Downtown Safe Zone, STOP enforcement activities, supplementing patrols in areas of immediate need (hot spots), special events requiring additional police presence, mounted patrol, and targeting specific crime patterns Citywide. Seconded.

Adopted 7/22/05.

Approved by Mayor Rybak 7/22/05.

(Published 7/26/05)

Niziolek introduced an ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Taxicabs, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (increasing the “flag” or initial rate; increasing the current per mile charge; and increasing the current “minimum fare”).

Niziolek introduced an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Surveillance Cameras, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (updating surveillance technology requirements; clarifying minimum standards to assist MPD in the retrieval of clear photo evidence; and adding new license types to those required to install cameras—Off-Sale Liquor, Tobacco Dealers and Food Confectionary).

Zerby introduced an ordinance amending Title 9, Chapter 172 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Civilian Police Review Authority, which was given its first reading and referred to the Health & Human Services and Public Safety & Regulatory Services Committees (providing for referral of many complaints to mediation; and requires mandatory participation in good faith in the mediation process).

Lilligren moved to adjourn to Room 315, City Hall to consider the Bobby & Steve’s Autoworld v. City of Minneapolis; and Thomas Oscar Stimack v. City of Minneapolis et al lawsuits. Seconded.

Adopted upon a voice vote.

Room 315, City Hall

Minneapolis, Minnesota

July 22, 2005 - 12:05 p.m.

The Council met pursuant to adjournment.

President Ostrow in the Chair.

Present - Samuels, Johnson, Zimmermann, Schiff, Zerby, Lilligren, Niziolek, Benson, Goodman, Lane, Ostrow.

Absent - Johnson Lee, Colvin Roy.

Jay Heffern, City Attorney, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Bobby & Steve’s Autoworld v. City of Minneapolis; and Thomas Oscar Stimack v. City of Minneapolis et al lawsuits.

At 12:09 p.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent - Johnson Lee, Colvin Roy.

Present - Samuels, Johnson, Zimmermann, Schiff (Out at 12:53 p.m.; In at 1:04 p.m.), Zerby, Lilligren, Johnson Lee (In at 12:21 p.m.; Out at 12:41 p.m.; In at 1:04 p.m.), Niziolek, Benson, Goodman, Lane (Out at 12:53 p.m.; In at 1:04 p.m.), Ostrow.

Absent - Colvin Roy.

Also Present - Jay Heffern, City Attorney; Peter Ginder, Deputy City Attorney; Tim Skarda, Assistant City Attorney; Don Harris, Deputy Police Chief; Peter Wagenius, Mayor's Office; Jim Voll, Community Planning & Economic Development (Out at 12:16 p.m.); Steven Ristuben, Assistant City Clerk; and Jackie Hanson, City Clerk's office.

Skarda summarized the Bobby & Steve's Autoworld v. City of Minneapolis lawsuit from 12:09 p.m. to 12:16 p.m.

Skarda then summarized the Thomas Oscar Stimack v. City of Minneapolis lawsuit from 12:16 p.m. to 1:14 p.m.

At 1:14 p.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Lilligren moved to settle the case of Paul Warnert, individually, and Paul's: Bobby & Steve's Autoworld - Jordan, LLP, a Minnesota limited liability partnership v. City of Minneapolis, Hennepin County District Court File No. 03-8090, upon the following terms and conditions:

1. Approving a conditional use permit for an automobile convenience facility located at 5801 Nicollet Av S, Minneapolis, MN.

2. Approving a conditional use permit for a minor automobile repair located at 5801 Nicollet Av S, Minneapolis, MN.

3. Approving a conditional use permit for a car wash located at 5801 Nicollet Av S, Minneapolis, MN.

4. Approving the Site Plan for 5801 Nicollet Av S, Minneapolis, MN, in accordance with the plan set forth in Petn No 270551.1 on file in the Office of the City Clerk and described as sheet B&S A1.0, LA1.dwg, dated July 20, 2005, prepared by Phillips Architects & Contractors, Ltd.

5. Waiving any costs, application fees or charges related to the submission and approval of the site plan and conditional use permits.

6. Waiving a pending fine imposed under Citation #BL A05-030058, related to the parking of a tow truck.

7. Waiving any right of the City of Minneapolis to appeal the decision of the district court in this matter to the Minnesota Court of Appeals.

8. Authorizing the Planning Department to require any and all revisions to the plan described as B&S A1.0, LA1.dwg, dated July 20, 2005, prepared by Phillips Architects & Contractors, Ltd, necessary to bring said plan into conformity with applicable codes and ordinances of the City of Minneapolis.

9. Authorizing the City Attorney's Office to execute any documents necessary to effectuate the settlement. Seconded.

Adopted 7/22/05. Yeas, 11; Nays, 1 as follows:

Yeas - Samuels, Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Goodman, Lane, Ostrow.

Nays - Benson

Absent - Colvin Roy.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn to Room 317, City Hall on July 28, 2005, at 4:00 p.m. for the purpose of hearing Mayor Rybak's Budget Address, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of July 22, 2005. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

**JULY 22, 2005**

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Steven J. Ristuben,  
Assistant City Clerk.

Unofficial posting: 7/25/2005  
Official posting: 7/29/2005  
Corrections: 8/25/2005; 9/1/2005